

Docket: A-1670

#19/TD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: / Confirmation No.: 1101  
Hassan et al. /  
US Serial No.: 09/226,418 / Group Art Unit: 3745  
Filed: 1/6/1999 / Examiner: Christopher M. Verdier  
Title: GUST ALLEVIATION/FLUTTER / Customer No.: 33197  
SUPPRESSION DEVICE /

Approved  
JAS

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being facsimile transmitted to facsimile telephone number 703-872-9306 on Thursday, February 5, 2004.

Date: 2/5/2004Signed: Donald E. Stout  
Donald E. Stout, Reg. No. 34,49303/09/2004 KCOOPERT1 00000002 135135 10226418  
01 FC:1814 110.00 DATERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, McDonnell Douglas Helicopter Company, a subsidiary of the Boeing Company, a Delaware corporation, is the assignee and exclusive owner of the entire right, title, and interest of, in and to the referenced application Serial No. 09/226,418, filed on January 6, 1999, by virtue of an assignment from the inventors of the above-identified patent application to the current assignee. The assignment was recorded in the Patent and Trademark Office on Reel 9706, Frame 0567.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the referenced application, which would extend beyond the earliest expiration date of the full statutory terms defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,543,719, issued April 8, 2003. The owner hereby agrees that any patent so granted on the referenced application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the referenced application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of

U.S.S.N.09/226,418  
Terminal Disclaimer  
February 5, 2004  
Page 2

any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Authorization is hereby given to charge the terminal disclaimer fee of \$110.00 under 37 CFR 1.20(d), as well as any other necessary fees in connection with this statutory disclaimer, to Deposit Account No. 13-5135.

2/5/2004

Date

Donald E. Stout

Donald E. Stout

Attorney for Applicants

Reg. No. 34,493